

SLP(C)No. 8826-8827 OF 2000

ITEM No.38

Court No. 2

SECTION IX
A/N MATTER

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) Nos.8826-8827/2000

(From the judgement and order dated 30/06/1999 in CA 4537/98 and
in MCA No.2/2000 of The HIGH COURT OF BOMBAY AT NAGPUR)

RAMNARAYAN

Petitioner (s)

VERSUS

BHARATLAL & ANR.

Respondent (s)

(With prayer for interim relief)

Date : 19/02/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.P. BHARUCHA
HON'BLE MR. JUSTICE Y.K. SABHARWAL

For Petitioner (s) Mr. S. Balakrishnan, Sr. Adv.
Mr. Subramonium Prasad., Adv.
Mr. K.L. Rathee, Adv.
Mr. S.N. Jha, Adv.

For Respondent (s) Mrs. K. Sharda Devi, Adv.

UPON hearing counsel the Court made the following
O R D E R

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Leave granted.

The civil appeals are allowed.

The appellant shall pay to the respondents the costs
of the appeal, fixed at Rupees two thousand and five hundred.

(T.I. Rajput)
Court Master

(Shelly Sengupta)
Court Master

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

Civil Appeal Nos. 1341-1342 of 2001@@
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(Arising out of S.L.P. (C) Nos.8826-8827 of 2000)

Ramnarayan ...Appellant (s)

Versus~

Bharatlal and AnotherRespondent (s)

O R D E R@@
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Leave granted.

The notice that was issued on the special leave petitions stated that the order under challenge might be set aside at this stage and the second appeal directed to be re-heard on the petitioner complying with the terms and conditions of the interim order earlier granted to him.

We have heard learned counsel and we are satisfied that that is the appropriate order to pass. The learned counsel for the appellant states that the interim order shall be complied with in toto within three weeks.

The civil appeals are allowed and the order under appeal is set aside. The appellant shall comply with the interim order earlier granted to him within three weeks. The ...2/-

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second appeal (No.433 of 1992) is restored to the file of the High Court to be heard and disposed of on merits.

The appellant shall pay to the respondents the costs of the appeals, fixed at Rupees two thousand and five hundred.

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.....J.
(S.P. Bharucha)@@
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.....J.
(Y.K. Sabharwal)@@
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New Delhi,
February 19, 2001.